

Introduced by Senators Knight, Anderson, and Vidak

February 26, 2014

Senate Resolution No. 29—Relative to the expulsion of Senator Roderick D. Wright.

1 WHEREAS, On January 28, 2014, by eight unanimous votes
2 of a jury of his peers, Senator Roderick D. Wright was found guilty
3 of eight felonies; and

4 WHEREAS, The felonies Senator Wright was found guilty of
5 included five counts of fraudulent voting, two counts of perjury,
6 and one count of filing a false declaration of candidacy; and

7 WHEREAS, Section 8 of Article VII of the California
8 Constitution provides as follows:

9 “(a) Every person shall be disqualified from holding any office
10 of profit in this State who shall have been convicted of having
11 given or offered a bribe to procure personal election or
12 appointment.

13 (b) Laws shall be made to exclude persons convicted of bribery,
14 perjury, forgery, malfeasance in office, or other high crimes from
15 office or serving on juries. The privilege of free suffrage shall be
16 supported by laws regulating elections and prohibiting, under
17 adequate penalties, all undue influence thereon from power,
18 bribery, tumult, or other improper practice”; and

19 WHEREAS, The oath of office that state Senators swear to
20 uphold upon taking office reads as follows: “I do solemnly swear
21 (or affirm) that I will support and defend the Constitution of the
22 United States and the Constitution of the State of California against
23 all enemies, foreign and domestic; that I will bear true faith and
24 allegiance to the Constitution of the United States and the
25 Constitution of the State of California; that I take this obligation

1 freely, without any mental reservation or purpose of evasion; and
2 that I will well and faithfully discharge the duties upon which I
3 am about to enter”; and

4 WHEREAS, Section 1021 of the Government Code provides
5 as follows: “A person is disqualified from holding any office upon
6 conviction of designated crimes as specified in the Constitution
7 and laws of the State”; and

8 WHEREAS, Subdivision (a) of Section 5 of Article IV of the
9 California Constitution provides as follows: “Each house shall
10 judge the qualifications and elections of its Members and, by
11 rollcall vote entered in the journal, two thirds of the membership
12 concurring, may expel a Member”; and

13 WHEREAS, The California State Senate convenes in a chamber
14 under a portrait of George Washington – a symbol of dedication
15 and integrity; and

16 WHEREAS, The practices, traditions, and standards of the
17 Senate in previous cases involving Senators convicted of felonies
18 have led to swift and decisive actions by Senate leaders of the
19 recent past; and

20 WHEREAS, Democratic Senator Joseph B. Montoya was
21 convicted on February 2, 1990, of committing seven felonies; and

22 WHEREAS, Soon thereafter Senator Montoya was given an
23 ultimatum by the Senate Committee on Rules to resign by February
24 9, 1990, or face expulsion by a vote of his colleagues; and

25 WHEREAS, Senator Montoya resigned from the Senate on
26 February 9, 1990; and

27 WHEREAS, Senate President pro Tempore David Roberti
28 (D-Los Angeles) thanked Senator Montoya for bowing out and
29 not forcing the Senate to expel a Member for the first time since
30 1905; and

31 WHEREAS, Senate President pro Tempore Roberti said at the
32 time, “Senator Montoya is helping us conduct the business of the
33 Senate without the rancor and disruption that a more radical process
34 would have caused. Senator Montoya could have held on to a bitter
35 conclusion. He chose not to. I thank him for that”; and

36 WHEREAS, Republican Senator Frank C. Hill was convicted
37 on June 16, 1994, of committing three felonies; and

38 WHEREAS, Senator Leroy Greene (D-Carmichael), chairperson
39 of the Senate Committee on Legislative Ethics, urged members of
40 the Senate Committee on Rules to put aside their personal affection

1 for Senator Hill and to vote to oust him as the ethically and morally
2 correct course of action; and

3 WHEREAS, Senator Greene told colleagues, “The people of
4 this state have a right to expect that we will judge convicted
5 criminals in this house by the same standards by which we judge
6 others”; and

7 WHEREAS, The Senate Committee on Rules voted on June 30,
8 1994, to expel Senator Hill; and

9 WHEREAS, The four members of the Senate Committee on
10 Rules who voted to expel Senator Hill were Senate President pro
11 Tempore Bill Lockyer (D-Hayward), Senator Ruben Ayala
12 (D-Chino), Senator Bill Craven (R-Oceanside), and Senator Bob
13 Beverly (R-Manhattan Beach); and

14 WHEREAS, Senator Hill resigned from the Senate on July 8,
15 1994; and

16 WHEREAS, Senator Wright has had, since being found guilty
17 on January 28, 2014, the option of resigning from the Senate but
18 has not done so; and

19 WHEREAS, The Senate leadership has had, since January 28,
20 2014, the option of requesting Senator Wright to resign from the
21 Senate but has not done so; and

22 WHEREAS, Under the power and authority conferred by the
23 California Constitution, the full Senate can, by a two-thirds vote
24 of the membership, expel a Senator found guilty of a felony; now,
25 therefore, be it

26 *Resolved by the Senate of the State of California, two-thirds of*
27 *the membership concurring,* That pursuant to the authority
28 conferred by Section 5 of Article IV of the California Constitution,
29 Senator Roderick D. Wright, representing the 35th Senate District,
30 is hereby expelled from the California State Senate for his eight
31 felony guilty verdicts, effective immediately.